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DATE: 1/30/06FACSIMILE MACHINE PHONE NUMBER: (571) 273-8300TO: Michael T. Cygan - 7781

Phone No. ( ) \_\_\_\_\_

USPTO

Re: S.II. 10/706,767

Washington, DC

Filed: Nov. 12, 2003

Docket No. 134166-1

FROM: William E. PowellPhone No. (518) 287-4534GE Global Research1 Research CircleNiskayuna, NY 12309

## COMMENTS:

Michael T. Cygan:Attached is a WRITTEN STATEMENT OF SUBSTANCE OFINTERVIEW.William E. Powell  
Reg. 39,803This transmittal consists of 9 pages, INCLUDING LEAD SHEET

Appl. No. 10/706,767  
Dated January 30, 2006  
Reply to Office communication of January 25, 2006

134166-1

I hereby certify that this correspondence is being facsimile transmitted to the Facsimile Number ~~703-872-9900~~ of the (571) 273-8300 United States Patent and Trademark Office on January 30, 2006 (2 pages total)

Typed or printed name: Jean Myers  
Signature: Jean Myers

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JAN 30 2006

Appl. No. : 10/706,767  
Applicant : Peter Micah SANDVIK  
Filed : November 12, 2003  
Title : GAS SENSOR DEVICE  
Art Unit : 2855  
Examiner : Michael T. CYGAN  
Confirmation No. : 7781

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### WRITTEN STATEMENT OF SUBSTANCE OF INTERVIEW

In response to the telephonic interview between applicant's counsel and the Examiner on January 12, 2006 and the Office communication of January 25, 2006, applicant provides this written statement summarizing the substance of the interview.

### REMARKS

Applicant's counsel forwarded to the Examiner a week before the interview a draft copy of the Amendment that was eventually filed in the above-identified application on January 13, 2006. That draft included a listing of the claims but did not include the remarks supporting the amendment.

During the interview, all the claims were discussed, with specific emphasis being placed on the independent claims 1, 25 and 47, which all contained an amendment. Shields and Kang were both discussed with reference to the claims.

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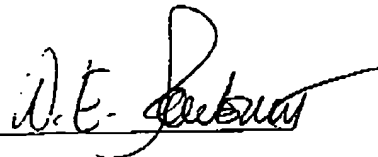
The principal proposed amendment was the addition of the concept of a passivation layer covering only at least a portion of a surface of a semiconductor substrate. The applicant pointed out during the interview that Shields fails to teach or suggest a passivation layer. Further, the applicant pointed out that Kang's "passivation layer" was not a passivation layer in the manner recited in the claims but was instead an encapsulation layer. Applicant amended the independent claims 1, 25 and 47 to capture that distinction. Kang's "passivation layer" covers more than only a portion of the semiconductor substrate surface. It covers the gas sensor device residing on the semiconductor substrate surface as well.

Applicant further argued that the use of "only" in the added claim language was to indicate that the passivation layer covers a portion or more of the surface of the semiconductor substrate but nothing more.

As noted in the Interview Summary, the Examiner agreed with the applicant that such an amendment would render the pending claims patentable over Kang and Shields, either alone or in combination.

Applicant believes that each and every claim pending in the instant patent application is allowable over the cited references. Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, the Examiner is requested to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

By 

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